

Timpanogos Canal

Heber City.

1895

Feb. 18. 1895

Proprietors of a high water canal from
Johns River met in Buel Hall. Hall
Joseph Hoatch was elected Chairman
J. O. Buel " " Secretary.

It was moved by Wm Buys and
seconded by J. C. McDonald. That we
appoint a committee of five
to make a preliminary survey of
the proposed route. Carried.
The following were nominated
and elected unanimously.

Joseph Hoatch.
Wm Rashand
Edward Buys
Henry James McDougall
Joseph C. McDonald.

Wm Buys moved the Capital
Stock be ten thousand Dollars.
Articles of agreement were read
by Wm Buys.

J. O. Buel moved that we adopt
the agreement as read. Carried.
A motion to adjourn. Carried.

J. O. Buel. Sec.
Copied by - Robert Duke

Articles were signed with sub-
scription by those present at above
meeting, and J. C. McDonald
and H. J. Clegg were to take
the agreement and solicit
subscriptions.

3
Hoehs City. Feb. 18. 1895

Proprietors of a high water canal from
Jones River met in Buels Hall.
Joseph Hatch was elected Chairman
H. O. Buell " " Secretary.

It was moved by Wm Buys and
seconded by J. C. McDonald. That we
appoint a committee of five
to make a preliminary survey of
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 Copied by - Robt Duke

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 meeting, and J. C. McDonald
 and H. J. Clegg were to take
 the agreement and solicit
 subscriptions.

Copy of agreement read at
meeting Feb. 18. 1895. at Lowell Mass
afterwards circulated for subscription.

Agreement.

We the undersigned residents of
Middlesex County, County of Mass.
desirous of forming an association
under the provisions of the laws
of this country for the purpose
of constructing, maintaining, and
operating in, upon, or across
any body of water, river, stream,
creek, or land, lying east and
south of the town of Haverhill,
for irrigation and other uses
purposes do hereby agree to
contribute to the cost of the following
named persons to wit:

Joseph Foster

Henry J. Rogers

Wm. H. Hubbard

Edward Davis

Joseph B. McDonald

to make a survey of said proposed
canal and estimate the cost of
the construction of the same,
also to draft articles of incorporation
and to perform such other acts
and duties as they may deem
necessary & duly incorporate said
company, and report at a meeting
called for that purpose.
And we hereby subscribe the
amount set opposite our names
as capital stock in said company
for the purposes above mentioned
provided that a subscription list
amounting to Ten thousand Dollars

Shall be obtained, and provided further that should a majority of the subscribers hereto, upon hearing the report of the committee as here-in before provided, conclude not to form the said corporation, then we and each of us agree to pay our proportion of the expense of making said survey and estimate, and drafting the said articles of incorporation.

In witness whereof we have hereunto set our hands this 18th day of February. 1895. A.D.

Jos Hatch	100.
Wm Buys	300.
H. O. Buell	150.
J. C. McDonald	100.
H. J. Clegg	150.
Wm G. Pasband	100.
E. Buys	100.
Bartl Gappmayer	200.
William R. Neil	100.
C. E. Thacker	100.
Samuel Jones	100.
Rolt Duke	100.
W. W. Murdock	100.
L. Montgomery	50.
R. O. Luke	200.
Orson H. Lee	100.
Wm E. Buys	100.
W. A. Smith	50.
John H. Clegg	50.
Wm J. Bann	50.
Vild Anderson	150.
Geo. A. Shelton	100.

over

Continued

Wm. J. Clegg	50.
Addison Hicken	50
L. B. Duke	100.
Wm. Baum	50.
Wm. Ayerett	200.
Jas. Murdock	100.
P. A. Murdock	100.
Isaac R. Baum	100.
Wm. H. Bond	50.
Wm. E. Horner	50
Ludvig Andersson	100.
Wm. H. Schwiler	50.
Eph. Smith	100.
C. D. Clegg.	50.
A. P. McMillan	50.
John W. Giles	50.
G. A. Clegg	50.
Wm. McMillan	75.
Robert Giles	25.
Eric Ericson	100.
E. McMillan	100.
A. M. Murdock	150.
Chas. J. Wahlquist	100.
Jonas Johnson	50.
H. A. Thacker	100.
Henry Moss	50.
A. Penfold	100.
Joseph McDonald	100.
Edward Hoyle	75.
Wm. H. Hoyle	75.
Orin Johnson	50.
H. P. Johnson	50.
David Marchant	200.
John H. Duke	100.
H. L. Lee	150.
Andrew Olson	25.
Elisha Ayerett	100

Continued

Peter Hanson	50.
Abram Hatch	100.
John A. Simpson	50.
A. K. Farnsworth (per Joe Hatch)	250.
Thos G. Clegg	50.
Harmon Cummings	200.
John Cummings	100.
W. L. Turner	100.
R. S. Duke	100.
John Watson	100.
Geo. J. Gile	100.
Elisha J. Cummings	250.
James McDonald	100.
Richard Tilt	100.
Isaac Cummings Jr	250.
Willard Handberg	100.
James E. Thomas	200.
John A. Thomas. void	
Henry D Buys -	50.
Isaac Balm	25.
John A. Nelson	50.

Minutes of Meeting of the High water canal projectors, held in the Hoehel Hall April, 13. 1895. according to call of committee appointed to run preliminary survey. Robert Duke was elected Chairman. G. J. Harbour Sec. Mr. Edward Buys stated object of this meeting, was to hear report of committee appointed at a previous meeting. The Sec. read the agreement, made and entered into Feb. 18. 1895. Ed. Buys made remarks in reference to the route of said canal also report was read. Moved and carried report be accepted. Carried Continued over.

Report submitted to House April 22. 95 Page 108-11

Written report.

April. 13. 1895

Report of committee, appointed to make preliminary survey, direct sub-surveyors, and estimate cost of building canal.

Length of Canal 12 1/2 miles

Estimated cost \$12,763.00

Expenses of committee as follows.

Ed. Davis surveying 4 days \$24.50

J. E. McDonald " 11 1/2 " 23.50

Henry J. Legg " 15 1/2 " 26.00

And D. G. Randall " 6 " 12.00

George Foster " 6 " 12.00

Ed. Davis " 9 1/2 " 9.00

1/2 E. McDonald 1/2 H. J. Legg, Jan 1895

Davis & Norman looking out north 1893. \$0.00

Ed. Davis. Looking 1894. 3.50

H. J. Legg. " 3.00

J. E. McDonald. " 2.00

\$120.00

Article in Bank for incorporation are submitted for amendments.

Effectively submitted.

J. J. Legg

J. E. McDonald

Ed. Davis

Am. & Randall.

As there were not many present and committee did not have report in full. it was suggested we hold another meeting for the same purpose as this. Moved and seconded in adjourn. subject to call of committee. Passed.

Ed. Davis chair

Geo. J. Randall Secy.

Written by. Ed. Davis

Written report-

April. 13. 1895

Report of committee, appointed to make preliminary survey, solicit subscriptions, and estimate cost of building Canal.

Length of Canal 12½ miles

Estimated cost \$12763.⁰⁰/₁₀₀

Expenses of Committee as follows.

Ed. Buys surveying 7 days	\$24 50
J. C. McDonald " 11½	23 00
Henry J. Clegg " 13½	26 00
Wm G. Haslam " 6	12 00
Joseph Hatch " 6	17 00
Team 9½ da.	9 00

1/2 to J. McDonald 1/2 to H. J. Clegg for team

Buys & Borman looking out route 1893. 10 00

E. Buys. leveling 1894. 3 50

H. J. Clegg. " 5 00

J. C. McDonald. " 2 00

\$120 00

Articles in Blank for incorporation are submitted for amendments:

Respectfully submitted;

H. J. Clegg

J. C. McDonald

Ed. Buys

Wm G Haslam.

As there were not many present and Committee did not have report in full, it was suggested we hold another meeting for the same purpose as this. Moved and seconded we adjourn subject to call of committee. Carried.

Robt Duke chair

Geo. J. Harbour Sec.

Copied by Robt Duke

Report received & passed April 22. 95 Page 109-11

Minutes of Meeting. April 22nd 1895.

Met pursuant to advertisement in Wasatch Wave. Met in Hecker Hall.

E. Buys called meeting to order and said it would first be in order to appoint a chairman and Secretary of the meeting.

It was moved and carried that E. Buys act as chairman, and Wm E. Buys as Sec. E. Buys stated object of the meeting. The minutes of previous meeting was then read and approved.

The report of the committee who were appointed to survey and estimate cost and construction of proposed canal was read. Moved and carried report be adopted and placed upon the minutes of this meeting.

Report of committee appointed to make preliminary survey, estimate the cost of construction and prepare articles of incorporation.

Gentlemen
Your committee has made the survey of the proposed canal beginning at a point near and above the bridge on the Provo river and running along an old channel or slough down to opposite the old Jordan ranch house, at that place the survey begins to rise to the hillside and reaches the top of the bench at a point about half way along the dugway above Thomas place, at which point it is about one hundred and thirty feet above the Wasatch Canal. From there the survey runs to and through a cow pass east of Wm McDougalds house. Thence easterly to the low

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Gentlemen
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survey of the proposed canal beginning
at a point near and above the bridge
on the Provo river and running
along and old channel or slough down
to opposite the old Jordan ranch house,
at that place the survey begins to raise
to the hillside and reaches the top of
the bench at a point about half way
along the dugway above Thomas
place, at which point it is about
one hundred and thirty feet above
the Wasatch Canal, from there
the survey runs to and through a
low pass east of Wm McDougalds
house thence easterly to the low

pass. north. east of (W-M) Murdock's farm house, from there it runs easterly to, in above Broadhead's house, to the lower end of Wm Lindsay's lucern patch, thence south to the place on Hatchers farm where Chris. Christenson lives, thence south-westerly to P. H. Mc Guire's Barn.

The length of the canal as surveyed by us is 4000 Rods or just $12\frac{1}{2}$ miles.

We made an estimate of the cost of construction at each four rods where there was any variation in the kind of ground, and in this way, after carefully considering the times, and the cost of building other ditches. During the last two years we think that the canal as surveyed can be completed for \$12,763.00 for labor and supplies, of course there will be other necessary expenses such as cost of locating, resurveying the canal, superintending the construction, Committee work, &c.

Our expenses in the work are as follows:

Preliminary Survey.

25	Edward Buys, Surveyor, 7 days @	3 50	= 24 50
27	J. C. McDonald, Chairman, " " "	2 00	14 00
31	Wm. J. Clegg, Staffman " " "	2 00	14 00
29	Wm. Rachard, Axman, 6 " "	2 00	12 00
35	Joseph Hatch, for Sam Jones chainman &c. " "	2 00	12 00
27+31	Team McDonald & Clegg 7 days " half	1 00	7 00
	half Total cost of survey,		83 50

Cost of Soliciting Subscriptions,

27	J. C. McDonald, 4 1/2 Days @	2 00	9 00
31	H. J. Glegg.	6 . . . 2 00	12 00
27	Leola 1 1/2 Days McDonald,	:	150
			<u>2250</u>

27	Advertising in Wave for first meeting		
	in Buell Hall, once		150
	" " twice		300
	To A. C. Hatch drafting articles,		

Nov. 1894. for looking out route for Canal.

25	Ed. Buys with compass - 1 day		3.50
31	H. J. Glegg		200
27	J. C. McDonald		200
31	Leola - H. J. Glegg		100
30	1893. 500 Foman & 1000		
25	500 Buys		

Committee {

Chairman: Ed. Buys then gave the estimated cost of construction. Said it would cost from \$100 to \$150 per rod, said there would be an additional cost of right of way of which they could not estimate. Hon. A. Hatch said as for the right of way through Hatch & Co. land situated up the river, it would cost the company nothing, provided they be allowed to bring the water for said land through canal for said land via the Jordan Ranch

right way
A Hatch

The agreement was then read together with the names of the subscribers and the respective amounts set opposite their names. (A copy of agreement is written in this book beginning page 4.)

A. Hatch said there was only about half the amount necessary subscribed. he would double his subscription and thought there would be no difficulty in obtaining the amount necessary.

Moved and Carried we incorporate

Moved and Carried that all who wish to be allowed to subscribe for whatever amount they desired, so that they might have a voice in the proceedings.

Articles of incorporation were then read. Chairman Buys said he thought it would be in order to give proposed Canal a name. After a number of suggestions. It was moved & carried that it be known as Timpinogas Irrigation Company.

Moved and carried that the blanks in the articles be filled out.

The following is the manner in which the articles were to be filled out as voted by the subscribers. That the annual meeting be held on the second Monday in January of each year. That the first election of officers be on the second Monday in January 1897.

Moved and carried that E Buys be Trustee and President. Moved and Carried that Buys, Wm & Rashband

Joseph Hatch, H. J. Clegg & J. C. McDonald
act as ~~board~~ trustees until Jan. 1897.
Moved and carried that Wm G. Hasland
be Vice President.

Moved and carried the offices of Sec. & Treas.
he held by separate persons.

On Motion. Joseph Hatch was elected Treas.
Robert Duke " " Sec.

Moved and carried that a committee of 4 be appointed to review the articles of incorporation in connection with the officers also pass upon and accept the article to be added. Moved and carried that said committee be;

Harmon Cummings, R. S. Duke, Isaac
Bann and Wm Turner, Moved and
Carried that we proceed to survey
and level canal within ten days.
Minutes were read. and accepted

Moved and carried we adjourn.
Wm E. Burpee Sec.

Approved. *Wm E. Burys Sec.*
Copied by *Robert Dike.*

Minutes of meeting in Heber Hall April 29, 1895
of the Timpanogas Irrigation Co. For the
purpose of signing articles of incorporation
also to pay in 10.0% of stock subscribed.
Pres. Ed Buys presiding all members
of board present. Mr W. C. Hatch explained
the necessity of signing the articles of incor-
poration and paying 10 % that we
might be properly incorporated and
the articles filed with the County
Recorder. The committee selected
to review the article of incorporation

reported favorably and recommended that they be adopted.

On motion of R. O. Luke the report was accepted and to become a part of these minutes. The following Report.

To the subscribers to the capital stock of the timpanogas irrigation co.

Gentlemen:-

Your committee appointed to review the proposed articles of incorporation of the said company respectfully report:

That we met at the office of A. C. Hatch on the evening of the 23rd day of April 1895 and reviewed the said articles by sections and we find them to be satisfactory and recommend that the same be adopted.

Respectfully submitted:

Signed { C. Buys. Wm. C. Baskland J. C.
McDonald, J. C. Clegg
R. O. Luke Isaac Banks
H. Cummings.
W. L. Turner.

Next articles were signed and about \$4,000⁰⁰ stock subscribed. Signers giving notes for 10% of stock subscribed.

Hon. A. Hatch, Moved that we hire Ed Buys to survey the canal on as economical basis as possible carried.

Moved by R. O. Luke that the survey be cross sectioned

on the Side Hills and wherever necessary carried.

Motion to adjourn carried.
 Robt Duke Sec.

Meeting of directors of Timpanogas Irrigation Co. held in store of A Hatch & Co. May 2nd 1875.
 E. Buys, W. L. Rasband, Joseph Hatch, Henry J. Clegg and Jas. C. McDonald present.

On motion of Jos. Hatch and sec. of H. J. Clegg, Edward Buys was engaged to survey the ditch at three dollars a day. Company to pay charges for the compass. Survey to start at river bridge on Thursday May 9th 1875.

Ditch to be ten feet wide on Bottom, and one foot deep lower side sloping six inches down to upper bank Banks to be made on angle of 45 degrees - minutes read and accepted

Signed -

E. Buys
 Jas. C. McDonald
 Henry J. Clegg
 W. L. Rasband
 Jos. Hatch.

Joseph Hatch sec. of meeting.
 Copied by Robt Duke

Copy of.

Articles of incorporation of the Timpanogas
irrigation companyApril 31st 1895Territory of Utah } S.S.
County of Wasatch

This agreement made and entered into this the 31st day of April 1895, between the undersigned residents of Wasatch County Utah Territory, Witnesseth, Where as, the undersigned are desirous of associating themselves for the purpose of forming a corporation under the purview of the laws of said Utah Territory, for irrigation purposes, in said territory, they do hereby certify, declare and agree as follows, that is to say.

First

That the said corporation shall be called and known by the name of the Timpanogas irrigation Co and shall be and is formed and organized at Heber, in the County of Wasatch, Territory of Utah

Second

That the names of the parties to this agreement, who are the corporation of this incorporation, and their places of residence in full are as follows. That is to say:

Names	Residence
Joseph Hatch.	Heber Wasatch Co Utah
J. Hatch & Co	" " "
Rolt Dube	" " "
Edward Dwyer	" " "
Abram Hatch	" " "
Richard O. L...	" " "

Names-	Residence
Thos G. Clegg	Heber Wasatch Co. Utah
Wm G. Ashland	" "
Nels Anderson	" "
Isaac Bamm	" "
Christian Christian	" "
Robert S Duke	" "
Lawrence B Duke	" "
James Thomas	" "
Olaus Johnson	" "
Willard M. Murdoch	" "
Samuel Jones	" "
Elisha J. Cummings	" "
Isaac Cummings Jr	" "
John A. Nelson	" "
Wm H. Bond	" "
Henry James Clegg	" "
Joseph C. McDonald	" "
Peter Hanson	" "
Wm Bamm	" "
Joseph E. Nelson	Charleston
Paul Goppmayer	" "
Geo Barze	Heber
Wm E. Turner	" "
Wm L. Turner	" "
Wm Auerett	" "
Ludvig Anderson	" "
Chas E. Thacker	" "
Herbert L. Clegg	" "
Orrin Johnson	" "
David Marchant	" "
Abram C. Heath	" "
Elisha Auerett	" "
Geo A. Shelton	" "
John Ohlweiler	" "
H. O. Buell	" "
Thomas M. Liles	" "
John Watson	" "

Third

Duration
of
Corporation

That the corporation herein provided for shall have perpetual succession, unless dissolved by three years nonuse of its rights, or by a two-thirds vote of all the stockholders, at a meeting called for that purpose; in all cases of dissolution, the property held by the corporation, shall revert to the members, in proportion to their rights therein.

Fourth

Purpose

That the object, business and pursuit of said corporation is and shall continue to be, to acquire the right to the use of water from the Provo River, in Wasatch, and Summit Counties, Utah, by appropriation of the unappropriated water of said river, or by the purchase of existing rights, and to increase the flow of water in said river, during the low water season of each year, by building reservoirs for the storing of water, and to build canals, ditches and flumes for the purpose of conveying and distributing the water, which said corporation may acquire the right to use, to the stockholders of said corporation according to their several interests in the capital stock of said corporation; and for the further purpose of managing and controlling the use of said water, and the distribution thereof to those severally entitled thereto. The distribution of water to each stockholder shall be regarded as payment of dividends to such stockholders.

Fifth

That the principal place of business of said corporation shall be at Hober, Madison Co. Utah Territory.

Sixth

That the amount of capital stock of said corporation shall be twenty thousand dollars, which shall be divided into two thousand shares of the par value of ten dollars each.

Seventh

That the amount of stock taken and subscribed by each of the corporators above named, parties to this agreement, is as follows, that is to say.

Name of Corporators	Am't. Subscribed
Joseph Hoatch	\$400 00
A Hoatch & Co	150
Robert Duke	100
Edward Buys	100
Abram Hoatch	300
Richard D. Luke	200
Thomas G. Colegg	100
Wm. G. Randall	200
Nels Anderson	200
Isaac Baym.	25
Christian Christensen	100
Robert Dupre	100
Lawrence B. Duke	100
James Thomas	300
Claus Johnson	25
Willard M. Mursdock	200
Samuel Jones	250
John A. Nelson	50
William H. Bond	50
Elisha J. L. Munnings	250

137-000

✓	250	Wm. Cummings Jr	Black Hawk
✓	200	Henry & Leary	Black Hawk
✓	100	John & McDonald	
✓	50	Peter Pearson	
✓	50	Wm. Baum	
✓	100	Joseph & Nelson	
✓	100	Geoffrey & Thompson	
✓	40	George Barger	
✓	50	Wm. & Lechner	
✓	100	Wm. & Turner	
✓	200	Wm. Averett	
✓	100	Lucius Anderson	
✓	100	Edward & Graham	
✓	200	Herbert & Leary	
✓	50	Brown Johnson	
✓	200	David Merchant	
✓	200	Elizabeth Averett	
✓	100	Geo. A. Shotton	
✓	100	John Wheeler	
✓	200	J. D. Balle	
✓	100	Thomas Giles	
✓	100	John Watson	
✓	50	Wm. J. Bond	
✓	200	P. O. McQuinn	
✓	50	James Dr. Gault	
✓	100	John de Gault	
✓	100	Joseph McDonald	
✓	50	John Johnson	
✓	50	John Munn	
✓	50	John Gault	
✓	100	Wm. & Leary	
✓	50	Wm. A. Smith	
✓	100	James McDonald	
✓	100	Geo. Gibson	
✓	100	Carley & Munk	
✓	100	Edward & Shotton	

Black Hawk

Black Hawk

(2)

(2)

(2)

(2)

(2)

Black Hawk

John W. Miles	\$ 50 00	✓	1722	
Abraham E. Heaton	200	✓		
Harmon Cummings	200	+		(?)
Richard Settle	100	✓		
Martha Craig	100	✓		
Thomas W. Crook	150	✓		
Abel Chas. Bellows	50	✓		
James J. Purbeck	100	✓		
W. L. Miles	150	✓		
James J. Davis	100	+		(?)
J. H. Sandworth	400	✓		
Edward Stork	100	+		(?)
James A. Shelton	200	+		(?)
James R. Ham	100	✓		
Lawrence Anderson	100	✓		
W. R. Neil	100	✓		
Joseph Smith	100	+		(?)
William McMillan	100	+		(?)
Mrs. Burgess	50	✓		
O. W. Reed	100	✓		
Geo. R. Corlie				
June 5-1899-				
Shed S. Watson	200 00	✓	27450	
William C. Drake	200	✓	4970	
John Livingston	50	✓		

Eighth

That the officers of said corporation shall be, First A board of five trustees, Second A president, Third A vice president, Fourth A Treasurer, Fifth a secretary, Said officers of Treasurer and Secretary may be held by the same person, properly qualified. All of the officers herein provided for may be trustees, except the Secretary.

Ninth

That the qualifications of the officers of said corporation shall be as follows, that is to say. To be eligible to the office of trustee, president, vice president, or treasurer, the person must be the owner as shown by the books of the corporation, of at least ten shares of the capital stock of the corporation. A person need not be a stock holder to be eligible to the office of secretary thereof.

Tenth

That the following named persons, parties hereto, shall be the trustees of said corporation for twenty one months from the date hereof and until their successors shall have been duly elected at the election to be held on the second monday in January A.D. 1897. as is herein after provided, and shall have duly qualified, namely, Edward Buys, Wm G. Rasband, Joseph Hatch, Joseph C. McDonald and Henry J. Clegg, and the said Edward Buys shall be president, the said Wm G. Rasband vice president and the said Joseph Hatch treasurer.

Officers

Qualifications

Name of
Officers

And Robert Duke, a party hereto, shall be secretary, for the term of twenty one months, and until their successors shall be duly elected and qualified, and any vacancy caused by the resignation or death of either or any of the first officers or trustees, may be filled by the board of trustees.

Eleventh

That the term of office of the officers of said corporation, except as provided in article tenth, as above, shall be two years and until their successors shall have been duly elected and shall have duly qualified unless sooner resigned or removed, as herein after provided.

Twelfth

That the annual meeting of the stockholders of said corporation for the hearing the reports of the officers, and for the transaction of such other business as shall lawfully come before it, shall be held on the second ^{Monday} in January in each year, and biennially at the same time and place there shall be an election of the officers of said corporation. All meetings of said corporation shall be held at such place within the limits of Becker precinct, Wasatch Co Utah Territory, as may be designated by the notice calling such meeting. A representation of the majority of the capital stock of said corporation shall be necessary to hold

Term of
Office

Annual
Meeting

Amended
on page
136

Stock
necessary

any stock holder's meeting, either general or special. The officers of said corporation shall be elected by ballot, and the persons receiving the majority (of the capital stock of said ^{company} ~~company~~) of the votes of the stockholders at any election shall be declared to be elected to the office for the filling of which such election is ^{being} held. Each stockholder shall be entitled to as many votes as he holds shares of capital stock, and a representation by proxy, duly appointed in writing, shall be allowed at all meetings of said corporation either general or special. The first meeting of said corporation for the election of officers and for other purposes; as above provided, shall be held, and the first election of officers be had, at such place as the trustees herein before named in article tenth may designate, on the second Monday of January A.D. 1897 and it is hereby provided that a failure to hold said meeting or any general meeting of the stockholders of said corporation at the day appointed for the same shall not forfeit nor in any way interfere with the corporate rights acquired under this agreement, but any such meeting may be held at any time, upon giving notice to each stockholder, by depositing a postal card in the post office at Heber, Utah, addressed to each stockholder, at his place of residence if known, and if not known, at the place where

Proxy

Special Meetings

Notice of
annual meeting

Special
1/3 stock
page 34

Officers
removed
or
resign

the principal office of said corporation is situated, at least fifteen days prior to the date of such meeting; said postal cards to have written or printed thereon a notice of the time, place and object of such meeting, and by what authority such meeting is called. The Secretary shall, and in case of his failure, any other officer may give notice of all annual and special meetings for stockholders, by mailing notices as herein-before provided. Special meetings of the stockholders shall be called by the secretary at any time upon the written request of the stockholders representing one third of the capital stock of this corporation and in case of failure of secretary to call any special meeting at the request of the stockholders in writing as herein provided then such stockholders may call such meeting, by giving such notice as is here in before provided.

Thirteenth
That any or either of the officers of said corporation may be removed at a stockholders meeting duly called and held to consider such removal, the holders of the majority of the capital stock of said corporation, being present at such meeting, either personally or by proxy, and voting for such removal; and any or either of the officers may resign by filing a written resignation with the board of trustees of said corporation.

Vacancy
How filled

and all vacancies occurring from removal shall be filled, for the unexpired ~~term~~, by election: at the meeting at which such removal takes place, and any vacancy occurring by death, disability or resignation, shall be filled for the unexpired term, by the board of trustees.

Fourteenth

Quorum

That any three members of the of the board of trustees of this corporation shall constitute a quorum and be authorized to transact the business and exercise the powers of said corporation.

Fifteenth

Private
property not
liable

That the private property of the stockholders of said corporation, shall not be liable for the debts or liabilities of the corporation

Sixteenth

Assessments

That the board of trustees of said corporation, for the purpose of paying expenses, conducting the business or paying the debts of the corporation, may levy and collect assessments in the manner and form, and to the extent hereinafter provided, but no one assessment shall exceed ten per cent of the amount of the capital stock herein provided, for, Provided, that after the whole amount of the capital stock herein provided for shall have been fully paid up, no assessment shall be levied while any portion of any previous assessment remains unpaid or uncollected, except in cases where all the members of the corporation

have been exercised in accordance with the law and these articles, for the purpose of collecting such previous assessments, or where the corporation is restrained by injunction or other process, in both of which cases a further assessment may be levied and collected according to these articles.

Seventeenth

Assessment
how - when
and where
payable

That no assessment, as aforesaid, shall be levied, except by order of the majority of the entire board of trustees and every order levying an assessment must specify the amount thereof, when, to whom, and where payable and fix a day subsequent to the full term of the publication of the assessment notice on which the unpaid assessment shall be delinquent, not less than thirty nor more than sixty days from the time of making the order levying the assessment, and a day for the sale of delinquent stock, not less than fifteen nor more than sixty days from the day the stock is declared delinquent.

Eighteenth

That upon the making of the order levying an assessment the secretary shall cause to be published a notice thereof, in the following form: (Name of corporation in full, location of principal place of business). Notice is hereby given that a meeting of the trustees, held on (date) an assessment of (amount) per share was levied on the capital stock of said corporation payable (when, to whom,

Notice of
assessment
how
to be made

and where). any stock upon which the assessment may remain unpaid on the (day fixed) will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on the (day fixed) to pay the delinquent assessment, together with the cost of advertisement and expense of sale. (signature of Secretary, with location of office). The said notice must be served personally on each stockholder, or, in lieu of personal service, must be sent through the mail, addressed to each stockholder at his place of residence, if known, and if not known at the place where the principal office of the corporation is situated, and be published once a week for four successive weeks in some newspaper published in Wasatch County, Utah Territory, if a paper be published therein, If no paper is published in said county, then the notice mailed to each stockholder, as herein provided, shall be a sufficient notice, to the stockholders, of the order levying such assessment.

Nineteenth

Publication
of delinquents

If any portion of any assessment shall remain unpaid on the day specified in the notice of assessment. for the same to be delinquent, the secretary shall, unless otherwise ordered by the board of trustees, cause to be published in a newspaper published in Wasatch County, Utah Territory, (Provided there shall be a newspaper published in said county, and if there shall be no newspaper published therein then by posting copies in five

Publication
of Delinquents

public places in said county), a notice in the following form:- (Name of the corporation in full, location of principal place of business.) Notice. There are delinquent upon the following described stock, on account of assessment levied on (date) (and assessments levied previous thereto, if any) the several amounts set opposite the names of the respective shareholders as follows:

(Names, number of shares, number of certificates, amount.) and in accordance with law and (the order of the board of trustees, made on the (date) if such order shall have been made), so many shares of each parcel of such stock as may be necessary, will be sold at public auction, at (naming the place) on the (date) at (the hour) of such day to pay the delinquent assessment thereon, together with the cost of advertising and expenses of sale.

The Notice must specify every certificate of stock, the number of shares it represents, and the amount due thereon, except where the certificate may not have been issued to parties entitled thereto, in which case the number of shares and the amount due thereon, together with the fact that the certificates of such shares have not been issued must be stated.

Twentieth

The notice of sale of delinquent stock, when published in a daily paper, must be published for ten days, excluding Sundays and holidays, previous to the day of sale when published in a

weekly paper, it must be published in each issue for two weeks previous to the day of sale; and when published by posting notices, such notices must be at least fifteen days previous to the day of sale.

The first publication of any notice of sale of delinquent stock must be at least fifteen prior to date of sale of such stock.

Twenty first.

That by the publication of the notice as provided in articles fifteen and twenty, said corporation shall acquire jurisdiction to sell and convey a perfect title to all of the stock described in notice of sale, upon which any portion of the assessment, or costs of advertising, remains unpaid at the hour appointed for sale, but shall sell no more of such stock than is necessary to pay the assessments due and costs of advertising and sale. Said sale shall be made by the secretary of said corporation such other person as may be appointed by the board of trustees, to the highest bidder for cash.

The person offering at such sale to pay the assessments and costs for the smallest number of shares or a fraction of a share of such stock, shall be deemed the highest bidder, and the stock so purchased shall be transferred to him of the books of said corporation on payment of the assessments and costs, in default of bidders said corporation by its secretary, or any other officer thereof, may purchase said stock at the amount of the assessments and costs due thereon, and any stock so

Sale of
stock
how

So purchased by said corporation shall be subject to the disposal of the board of trustees. The time of any sale of delinquent stock, as aforesaid, may be extended from time to time ~~not~~ exceeding thirty days, by order of the board of trustees, entered on the records of said corporation; but no order extending the time for the performance of any act specified in any notice shall be effectual, unless notice of such extension or postponement is appended to and published with the notice to which such order relates.

Twenty Second

Irregularity

That no assessment shall be invalidated by reason of any irregularity in either the notice of assessment or notice of sale, nor in the sale; but in the case of any substantial irregularity such assessment shall stand valid, but publication must begin anew.

Twenty Third

Affidavit
of
Sale
of
Stock

The publication of notices required by these articles must be proved by the affidavit of the printer, foreman, or principal clerk of the newspaper in which the same is published, or in case of publication by posting notices, proof shall be made by the affidavit of the secretary of this corporation; and the affidavit of the secretary or other person making any sale, of the quantity and particular description of the stock sold, to whom and for what price sold, and of the fact of the

Of the purchase money having been paid,
 said affidavit must be filed
 in the office of the corporation.

Twelfth Fourth

That the unadmitted capital stock

of said corporation shall be subject

to the direction of the board of trustees

but none of such stock shall be

issued to any person until such person

shall have paid, to the said corporation,

ten percent of the par value thereof.

Together with all assessments that shall

have been levied thereon up to the

time of the value thereof; and all

issues of the capital stock shall subject

the holder thereof to those articles and

to the bylaws of this corporation.

Twelfth Fifth

That said corporation shall have a

lien on the capital stock of each

stock holder for the payment of any

and all debts due and owing or

to become due from such stock-

holder to said corporation; and no

transfer of any stock shall be made

by said corporation, or the officers

thereof, while any debt or obligation

of the holder thereof, to the corporation,

shall remain unpaid or unpaid,

Twelfth Sixth

That said corporation, by its board

of trustees, may amend or alter

the regulation and government

of its affairs and business, and

which shall not be inconsistent

with or repugnant to those provisions

of these articles, now contrary to law.

Given
 under my hand

Witness
 of
 my hand

Any bylaw enacted by the board of trustees may be repealed by a majority vote of the stockholders of any stockholders meeting; provided, notice of the intention to vote upon the question of such repeal is given in the notice calling such meeting.

That these articles may be altered or amended at any time by a vote of persons representing two thirds of the capital of said corporation, at a meeting regularly called and held for that purpose, provided, that the original object and purpose, for which said corporation is organized shall not be altered or changed, except by the vote of each stockholder.

In witness whereof, the said parties to these presents have hereunto set their hands the day and year in this agreement first above written.

Copy of names.

Joseph Hatch
A. Hatch & Co.
Robert Duke
Edward Bays
Abram Hatch
R. O. Lyke
Thos. G. Clegg
Wm. G. Rasband
Wes Anderson
Nase Bann
Christian Christianson
Robert S. Duke
L. B. Duke

James E. Thomas
Olav Johnson
W. M. Murdock
Samuel Jones
Elisha J. Cummins
John A. Nelson
Wm. H. Bond
Henry J. Clegg
Joseph C. McDonald
Peter Homson
Wm. Damm
Joseph E. Nelson
Bail Garmeyer

Geo Barzee
 Wm C Warner
 Ludvig Anderson
 Wm Auerett
 Wm L Turner
 Charles C Thacker
 Herbert L Clegg
 Orrin Johnson
 David Marchant
 Abram C Hatch
 Elisha Auzett
 Geo. A. Shelton
 John Ohlweiler
 J. O. Buell
 Thomas W Giles
 John Watson
 Wm J. Bond
 P. H. McGuire
 James W Carlile
 John H Duke
 Joseph McDonald
 Jonas Johnson
 John Muir
 John Carlile
 Wm C Buys
 Geo R Carlile
 Wm A. Smith
 James McDonald
 Eric Erierson
 P. A. Murdock
 Chas C Shelton
 James W Clyde
 Harmon Cummings
 John Wm Giles
 Richard Lilt
 Mark Orgill
 Thomas H. Cook

Adolphus Sessions
 James S. Murdock
 Wm L Giles
 James S. Drie
 A. K. Farnsworth
 Edward Kyle
 James A Shelton
 Isaac R Bann
 Lawrence Anderson
 W. R. Neil
 Joseph Smithies
 Ephraim McMillan
 Wm Barnes
 O. H. Lee
 Thos S Watson
 Ed Duke
 John Simpson

These articles, the bona fide intention
and that ten percent of the stock subscribed
had been paid in.

Was subscribed and sworn to before
Probate Judge Wm. S. Willes. May 25
1895.

by officers

Edward Buys. Pres.
Joseph Hatch. Treas.
Robert Duke Sec.

Also Bonds were given by
the officers of said corporation May 25
1895.

(Articles copied by, Robert Duke Sec.)

May 7, 1895

Meeting of directors of Limpanogas
irrigation Co. held in store of Hatch & Co.
Full board present. On motion of Jos
Hatch and Sec. of H. J. Clegg. Edward Buys
was engaged to survey the ditch at Three
Dollars per day, with charge for compass
paid for by the company. - Survey to start
at river bridge on Thursday May 9th 1895
Ditch to be ten feet wide on bottom and
one foot deep lower side, sloping six inches
down to upper bank. Bank to be made
on angle of 45 degrees. - Minutes read
and approved. Signed by

E. Buys

Jos C. McDonald
Henry James Clegg
Wm. J. G. Hasbanc
Joseph Hatch.

Copied Robert Duke Sec.

Heber. Utah. May 16, 1895

Meeting of the directors of the Timpanogas
irrigation Co. Present. Edward Buys.

Wm. Rashand H. J. Clegg, Jas. McDonald
and Joseph Hatch. On Motion of Wm.

Rashand & Secy of H. J. Clegg. the company
rent from Joseph Hatch the Ditch on
the Crawford farm, to take water from
the Provo River at a point East of the
bridge near Benjamin Harris farm. An

33

offer of One Dollar for the use of
said ditch for thirty days, was
made by the company and
accepted by Joseph Hatch
minutes read and approved,
and signed by

Edward Buys
Wm. Rashand
Joseph Hatch
Jas. McDonald
H. J. Clegg

Copied by Robt Duke Secy.

Copy of Postal Notice
Notice

A. Committee of the Timpanogas Irrigation
Co. will let in sections for construction
two miles of canal from near the
River Bridge thence South on Thursday
May 23. 9 A.M. 1895. To the Lowest
bidder.

Articles of incorporation can be signed
and stock subscribed at A. Hatch & Co Store
until Tuesday May 21. 1895. All who
signed first agreement are especially
invited to sign articles

2nd Card.

A committee of the Board of Trustees of the Limpanogas Irrigation Co will let canal in sections for construction from Near Jordan Ranch, on June 4. 1895 at 9 A.M. to the lowest bidder

By Order of Trustees
Robt Duke Secy.

3rd Card.

Same as above only for date and place - time June 18. 1895 Place near Nugent Dugway.

4th Card

June. 25. 1895. From Nugent Dugways.

5th Card

Oct- 10th 1895. Near Charles Thomas' Ranch

6th Card

Nov - 16. 1895 near John McDonalds Spring

7th Card

May. 25. 96. Notification of Stock Holders Meeting